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United States District Court  
Eastern District of California

Clarence Montgomery,  
Plaintiff, No. Civ. S 04-1529 LKK PAN P  
vs. Order  
Tom L. Carey,  
Defendant.

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March 17, 2005, the court directed plaintiff to submit information for serving process on defendant Carey. He has not. Accordingly, plaintiff shall show cause, within 10 days, why his claims against defendant Carey should not be dismissed. Fed. R. Civ. P. 4(m) (requiring service of summons and complaint upon defendant within 120 days of the filing of the complaint).

So ordered.

Dated: May 10, 2005.

/s/ Peter A. Nowinski  
PETER A. NOWINSKI  
Magistrate Judge